

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BRUCE WHITE, on behalf of himself and
all others similarly situated

Plaintiffs,

vs.

CRST, INC.

Defendant.

) CASE NO. 1:11-CV-02615
)
) JUDGE: JAMES S. GWIN
)
) **DEFENDANT’S MOTION TO PERMIT**
) **TELEPHONIC APPEARANCE OF**
) **PARTY REPRESENTATIVES AT THE**
) **CASE MANAGEMENT CONFERENCE**
)

Defendant CRST, Inc. (“CRST”) pursuant to Local Rule 16.3(b)(1) and this Court’s Case Management Conference Scheduling Order (the “CMC Order”) (Document 12), respectfully requests that the Court excuse the personal attendance of one of CRST’s party representatives at the Case Management Conference (“CMC”) scheduled for February 23, 2012, as well as the personal attendance of its insurance carrier’s representative, and, instead, allow them to attend telephonically. Even though telephonic attendance is being requested herein, lead counsel for CRST and CRST’s General Counsel will be attending the CMC in person.

Local Rule 16.3(b)(1) provides that “Lead counsel of record must participate in the Conference and parties must attend unless, upon motion with good cause shown or upon its own motion, the Judicial Officer allows the parties to be available for telephonic communication.” However, the party representatives for CRST are located in Cedar Rapids, Iowa, and as such, would incur the burden and expense of travel and a potential overnight stay if one of them was required to attend the CMC in person. Likewise, the insurance carrier’s representative is located in New York, New York and would incur a similar burden and expense if required to attend the CMC in person.

Accordingly, CRST asserts that good cause has been shown to excuse CRST's party representative as well as the insurance carrier's representative from personally appearing at the CMC. For these reasons, CRST respectfully requests that this Court enter an Order excusing the Defendant's party representative and its insurance carrier's representative from personally appearing at the CMC on February 23, 2012, and permitting them to participate in the CMC telephonically. As previously indicated, lead counsel for CRST and CRST's General Counsel will be attending the CMC in person.

Dated: February 13, 2012

Respectfully submitted,

/s/ Gregory J. Lucht

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CERTIFICATE OF SERVICE

This is to certify that the foregoing was filed electronically on the 13th day of February, 2012 in accordance with the Court's Electronic Filing Guidelines. Notice of this filing will be sent to all parties by operation of the Court's Electronic Filing System. Parties may access this filing through the Court's Filing System.

/s/ Gregory J. Lucht

One of the Attorneys for Defendant CRST, Inc.